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13 **UNITED STATES DISTRICT COURT**
14 **DISTRICT OF NEVADA**

15 * * *

16 MORRIS SCHNEIDER WITTSTADT, LLC, a
Georgia Limited Liability Company,

17 Plaintiff,

18 vs.

19 NEVADA PROPERTY 1 LLC, a Delaware
20 Limited Liability Company doing business as
THE COSMOPOLITAN OF LAS VEGAS,

21 Defendant.

CASE NO. 2:15-cv-01175-RFB-VCF

**STIPULATION AND ORDER TO
WITHDRAW NEVADA PROPERTY
1, LLC'S MOTION FOR MORE
DEFINITE STATEMENT [Doc. 7]
AND TO EXTEND TIME FOR
NEVADA PROPERTY 1, LLC TO
FILE A RESPONSIVE PLEADING
TO PLAINTIFF'S COMPLAINT
[Doc. 1]**

(Third Request)

23 IT IS HEREBY STIPULATED by and between Plaintiff Morris Schneider Wittstadt,
24 LLC ("MSW" or "Plaintiff"), and Defendant Nevada Property 1, LLC dba The Cosmopolitan of
25 Las Vegas ("the Cosmopolitan" or "Defendant") (collectively, "the Parties"), by and through
26 their respective counsel, that the Cosmopolitan's Motion for More Definite Statement ("the
27 Motion") [Doc. 7] is withdrawn. Plaintiff's Opposition to the Motion was due on August 24,
28 2015, pursuant to a prior stipulation filed with this Court. [Doc. 12]. However, the Parties agree

1 that in light of the Motion being withdrawn, the Plaintiff need not file any Opposition to the
2 Motion.

3 IT IS FURTHER STIPULATED by and between the Parties that the Cosmopolitan shall
4 have until September 24, 2015 to file a responsive pleading to Plaintiff's Complaint [Doc. 1].
5 This request to withdraw the Motion and request for an extension is not made for purposes of
6 delay.

7 Dated this 27th day of August, 2015.

Dated this 27th day of August, 2015

8 **KOLESAR & LEATHAM**

**WEINBERG, WHEELER, HUDGINS, GUNN &
DIAL, LLC**

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/s/ D. Lee Roberts

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*Attorney for Defendant
Nevada Property 1, LLC dba The Cosmopolitan
of Las Vegas*

*Attorneys for Plaintiff
Morris Schneider Wittstadt, LLC*

* * * * *

ORDER

IT IS SO ORDERED:

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23 UNITED STATES ~~DISTRICT COURT~~ JUDGE
24 Magistrate

DATED: _____, 2015

25 August 28
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CERTIFICATE OF SERVICE

I hereby certify that I am an employee of Kolesar & Leatham and that on the 27th day of August, 2015, I caused to be served a true and correct copy of foregoing **STIPULATION AND ORDER TO WITHDRAW NEVADA PROPERTY 1, LLC'S MOTION FOR MORE DEFINITE STATEMENT [Doc. 7] AND TO EXTEND TIME FOR NEVADA PROPERTY 1, LLC TO FILE A RESPONSIVE PLEADING TO PLAINTIFF'S COMPLAINT [Doc. 1] (Third Request)** in the following manner:

(ELECTRONIC SERVICE) Pursuant to Rule 5-4 of the Local Rules of Civil Practice of the United States District Court for the District of Nevada, the above-referenced document was electronically filed on the date hereof and served through the Notice of Electronic Filing automatically generated by that Court's facilities.


An Employee of KOLESAR & LEATHAM

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